



STATE OF WASHINGTON
WASHINGTON STATE BOARD OF HEALTH
1102 SE Quince Street • PO Box 47990
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May 12, 2004

TO: Washington State Board of Health Members

FROM: Carl Osaki, Board Member

RE: **HEARING ON WATER RECREATION RULES, CHAPTER 246-260 WAC**

Background and Summary

The Board last made significant revisions to the rules regulating water recreation facilities in April 1990. It was the first major change to the rules since 1956. The code was renumbered in 1992 and now constitutes chapter [246-260 WAC](#).

On Nov. 1, 2000, the State Board of Health filed a [CR-101 \(WSR 00-22-122\)](#) announcing it was considering changes to these rules. The Department of Health convened a task force of public health experts and stakeholders that reviewed the current rule and recommended changes. The Board heard a briefing about significant proposed changes at its March 10 meeting ([see attached slides](#)) and filed a CR-102 with the Code Reviser on April 6 ([WSR 04-08-099](#)).

I have asked Maryanne Guichard, DOH Director of Environmental Health and Safety, and Gary Fraser, Water Quality Program Manager, to come before us again today and to quickly review proposed changes that are likely to have a significant impact on public health or the owners and operators of pool facilities. I recommend the Board follow this review with a public hearing and consider adopting the rule and directing staff to file a CR-103. A copy of the rule is attached along with the Significant Legislative Rule Analysis and Small Business Economic Impact Statement.

Ms. Guichard and Mr. Fraser will also brief the Board on comments received during the public comment period (see attached matrix) and on a recommended amendment to the published rule that would correct a drafting error (attached). The intent was that some existing pools would be exempt from some of the new design, construction and equipment standards. If the rule is not amended, existing facilities built after July 26, 1987 will be held to the new standards. A DOH memorandum explaining why this change should not require filing an amended CR-102 is attached.

The rule being considered today does not deal with bathing beaches, which the Board and Department expect to take up soon as a separate rule revision.

Recommended Board Action

Depending on testimony offered and the Board's own discussions, the Board may choose to consider, amend if necessary, and adopt the following motion.

The Board adopts the revised chapter 246-260 WAC as published in WSR 04-08-099 with the following change: In WAC 246-260-171(1) the date "July 26, 1987" is changed to "October 31, 2004."

Attachments